REMARKS

Applicants reply to the final Office Action dated July 6, 2010, within two months. Claims 1, 3, 5, 6, and 9-14 are pending in the application and the Examiner rejects claims 1, 3, 5, 6, and 9-14. Reconsideration of this application is respectfully requested.

The Examiner rejects claims 1, 3, 5, 6, and 9-14 under 35 U.S.C. § 103(a) as being unpatentable over Taylor, U.S. Patent Application No. 5,578,808 ("Taylor"), in view of Russell et al., U.S. Patent Application Pub. No. 2004/0044627 ("Russell"), and further in view of Fisher, U.S. Patent Application Pub. No. 2002/0040438 ("Fisher"). Applicants respectfully disagree with these rejections and traverse.

In general, with respect to funding a transaction, Russell discloses that the payer account data specifies whether a single account or a set of accounts may fund the transaction, and a certain percentage of the payment to be made from the various accounts. (Russell, para. 37). Applicant's assert that Russell is limited to inputting account information during the set-up of a device. The account information is transmitted to a payee in the payer account data stored on the device. (Russell, paras. 37, 41-45).

The Examiner asserts that Taylor, by citing at least Figure 4, discloses adding data in two different formats, and storing the different data sets in accordance with the respective different formats. Figure 4 of Taylor discloses a table of application records, namely various columns of information for storing data related to various card issuers. Applicants respectfully disagree with Examiner's assertion of the material disclosed by Taylor. **The table of application records discloses various card issuers with information in the _same_ format, not different formats.** The data within the columns may be unique to the card issuers, but the overall structure of the records is the same. The other cited references do not account for this deficiency. Thus, Applicants assert that none of the cited references disclose or contemplate "**the first format is different from the second format**, and the first data set is stored in accordance with the first format, and the second data set is stored in accordance with the second format" as recited in independent claim 1 (emphasis added), and as similarly recited in independent claim 9.

Claims 3, 5, 6, and 10-14 variously depend from independent claim 1, so claims 3, 5, 6, and 10-14 are thus differentiated from the cited references for the same reasons stated above for differentiating claim 1, in addition to their own respective features. Applicants therefore respectfully request withdrawal of the rejections of claims 3, 5, 6, and 10-14.

With respect to claim 14, the Examiner asserts that Russell teaches that receiving a selection further comprises the selection of a portion of a transaction to allocate to either the first or second data set. However, Russell discloses payer account data that "might specify that a certain percentage of the payment be funded from a specified checking account and the balance be funded from a specified credit card account," (para. 37). The payer account data is stored on a personal identifying device (PID) and provided during a transaction. (See at least paras. 39 and 230). In other words, the percentages from specified accounts is already on the PID prior to the transaction since it is the PID that provides the percentages. Therefore, it is not disclosed that a user could select the percentages from specified accounts during a transaction, which is part of "receiving the selection" to complete a transaction request. The other cited references do not account for this deficiency.

Thus, Applicants assert that none of the cited references disclose or contemplate "wherein the receiving the selection of at least one of the first data set and the second data set to complete the transaction request further comprises the selection of a portion of a transaction to allocate to at least one of the first data set and the second data set," as recited in claim 14. Applicants respectfully request that the rejection be withdrawn and claim 14 allowed.

In view of the above remarks, Applicants respectfully submit that the pending claims properly set forth that which Applicants regard as their invention and are differentiated from the cited references. Accordingly, Applicants respectfully request withdrawal of the rejections of all claims. The Examiner is invited to telephone the undersigned at the Examiner's convenience, if that would help further prosecution of the subject application. The Commissioner is authorized to charge any fees due to Deposit Account No. 19-2814.

Respectfully submitted,

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